IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.44 OF 2003

The Commissioner of Income Tax
City VI, Mumbai .. Appellant.
V/s.
M/s.Khandelwal Laboratories Ltd. .. Respondent.

Mr.R.Asokan i/b. K.B. Rao for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 16TH SEPTEMBER, 2004.

P.C. :

In view of the judgment of the Supreme Court in the case of Commissioner of Income Tax V/s. Indo Nippon Chemicals Co. Ltd. [261 ITR 275], the learned counsel for the revenue submits that he has instructions to withdraw the appeal.

2. We accept his statement and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)